

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

-2-

MAP 2C
NW 7N
the E. O. 2
DATE 6/22/5
200 JK
1000 W.F.
DP _____

11/29/88

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATION
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

Office of
PATUXENT
Publishing Company
10750 Little Patuxent Pkwy
Columbia, MD 21044

19

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in the following: X JEFFERSONIAN

☒ Catonsville Times ☐ Booster Weekly

☐ Arbutus Times ☐ Owings Mills Flyer

☐ Reporter Weekly ☐ Towson Flier

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the _____ of _____, 19____, that is to

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in the following:

<input checked="" type="checkbox"/> Catonsville Times	<input type="checkbox"/> Jeffersonian
<input type="checkbox"/> Arbutus Times	<input type="checkbox"/> Booster Weekly
<input type="checkbox"/> Reporter Weekly	<input type="checkbox"/> Owings Mills Flier
	<input type="checkbox"/> Towson Flier

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the day of 19 , that is to
say, the same was inserted in the issues of

CERTIFICATE OF POSTING
ING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd _____
 Posted for: W. A. Brown
 Date of Posting: 1-21-89
 Petitioner: James E. McManis et al
 Location of property: N.W. Corner of Burnbrook Drive and Springfield Avenue
 Location of Signs: N.W. Corner of Burnbrook Dr. and Springfield Ave.
 Remarks: _____
 Posted by: A. J. Post Signature _____
 Number of Signs: 1 Date of return: 1-27-89

Tracking System

Balloting Clerk
Zoning Commissioner
Office of Planning & Zoning

Date _____ **Receipt** _____ **FEE** _____

Pay Method _____ **Number** _____ **TYPE** _____

Petitioner: _____ **Team** *McKenny* **James** _____ **Identification Number** _____

Property Address: _____ **3654** _____ **22-10-100** _____ **2000** _____

(Number) **(Street)** **(City)** **(State)**

Council District _____ **Election District** _____

Zip Code _____

(Mailing Address) _____

2

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 000003

DATE _____ ACCOUNT _____
 AMOUNT \$ _____
 RECEIVED FROM _____
 FOR _____
 (K. H. Gray)
 1 D 355-00000355614
 VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Rowson, Maryland 21204
410-33353

Mr. & Mrs. James L. McNaney
808 Church Lane
Randallstown, Maryland 21133

Re: Petition for Zoning Variance
CASE NUMBER: 89-320-A
NAC Brenbrook Drive & Springdell Avenue
3654 Brenbrook Avenue
2nd Election District - 2nd Councilman's
Petitioner(s): James L. McNamey, et ux
HEARING SCHEDULED: FRIDAY, FEBRUARY 10,

Dear Mr. & Mrs. McNaney:

Please be advised that 78.53 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 038011

DATE 2/10/89 ACCOUNT R-01-615-000

AMOUNT \$ 78.53

RECEIVED James P. Williams
FROM P4A 2/10/89 hcr:ing

FOR

B B001*****7032589-320-A

VALIDATION OR SIGNATURE OF CASHIER

post set(s), then
each set not

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1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

January 12, 1989

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-320-A
NW Corner of Brenbrook Drive & Springdell Avenue
3654 Brenbrook Avenue
2nd Election District - 2nd Councilmanic
Petitioner(s): James L. McNaney, et ux
HEARING SCHEDULED: FRIDAY, FEBRUARY 10, 1989 at 2:00 p.m.

Variance to permit an 18 ft. rear yard setback for an attached open projection (deck) in lieu of the required 22.5 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: James L. McNaney, et ux
File

89-320-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
17th day of December, 1988

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: James L. McNaney
Petitioner's Attorney: Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2506
494-4500

Paul H. Reincke
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: James L. McNaney, et ux

Location: NW corner of Brenbrook Dr. and Springdell Avenue

Item No.: 234

Zoning Agenda: Meeting of 12/13/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 12-29-88
Planning Group
Special Inspection Division

NOTED & APPROVED: *Paul H. Reincke*
Fire Prevention Bureau

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 31, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. & Mrs. James L. McNaney
8808 Church Lane
Randallstown, MD 21133

RE: Item No. 234, Case No. 89-320-A
Petitioner: James L. McNaney
Petition for Zoning Variance

Dear Mr. McNaney:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Spellman, Lawson & Assoc., Inc.
Suite 207, Jefferson Bldg
Towson, MD 21204

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554



Dennis F. Rasmussen
County Executive

January 17, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 35, 200, 215, 232, 233, 234 and 235.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSE/lw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Zoning Petition Nos. 89-316-A (Teitelbaum); 89-320-A (McNaney);
89-321-A (McNaney); 89-310-A (Grief); 89-313-A (Ellwood);
89-315-A (DiPeppe)

The Office of Planning and Zoning has no comment on the above listed projects.

PK/ph

RECEIVED
JAN 19 1989

ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

February 27, 1989



Dennis F. Rasmussen
County Executive

Mr. & Mrs. James L. McNaney
8808 Church Lane
Randallstown, Maryland 21133

RE: PETITION FOR ZONING VARIANCE
NW/Corner Brenbrook Drive and Springdell Avenue
(3654 Brenbrook Drive)
2nd Election District - 2nd Councilmanic District
James L. McNaney, et ux - Petitioners
Case No. 89-320-A

Dear Mr. & Mrs. McNaney:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

Ann M. Nastarcowicz
ANN M. NASTARCOWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjjs

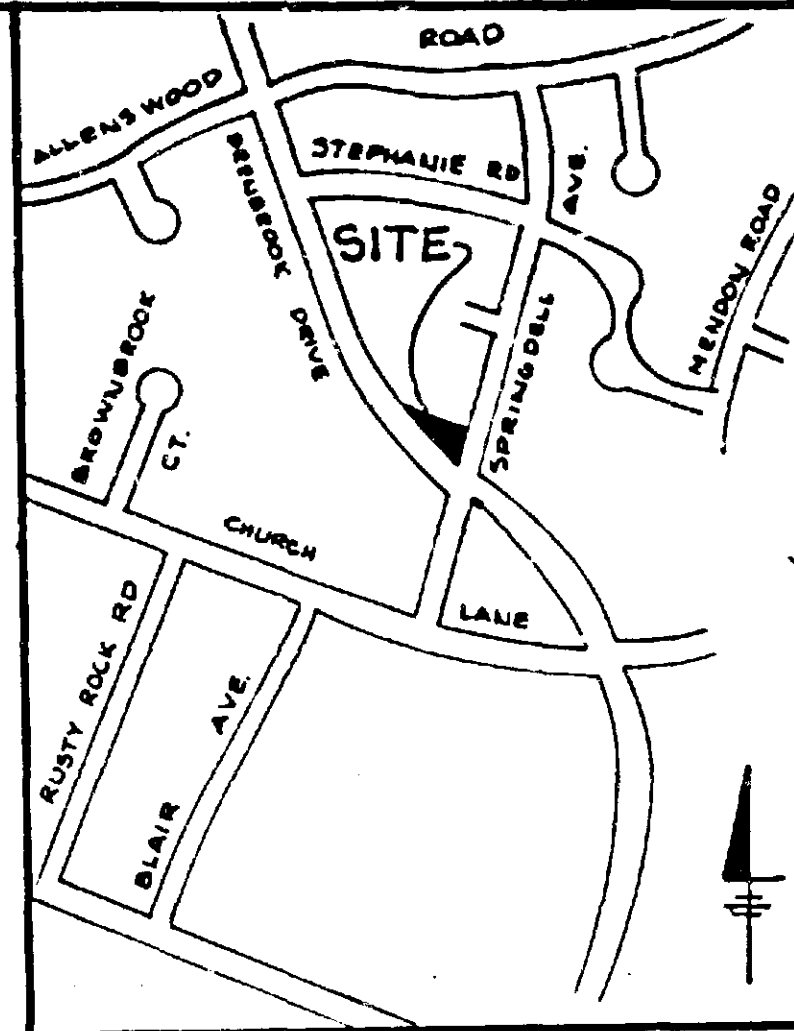
cc: Mr. Robert Spellman
Spellman, Larson & Associates, Inc.
105 W. Chesapeake Avenue, Suite 107, Towson, Md. 21204

People's Counsel

File

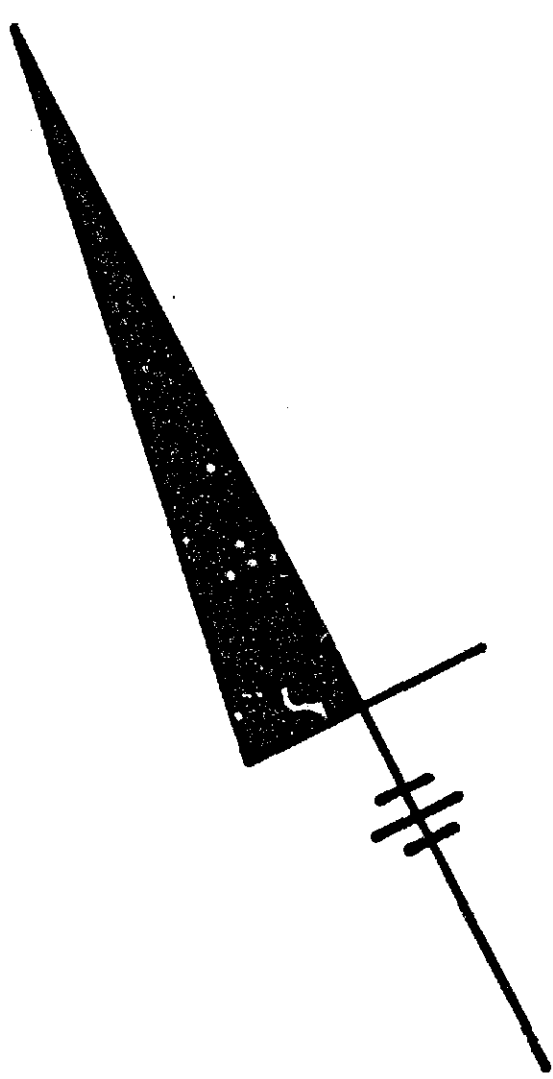
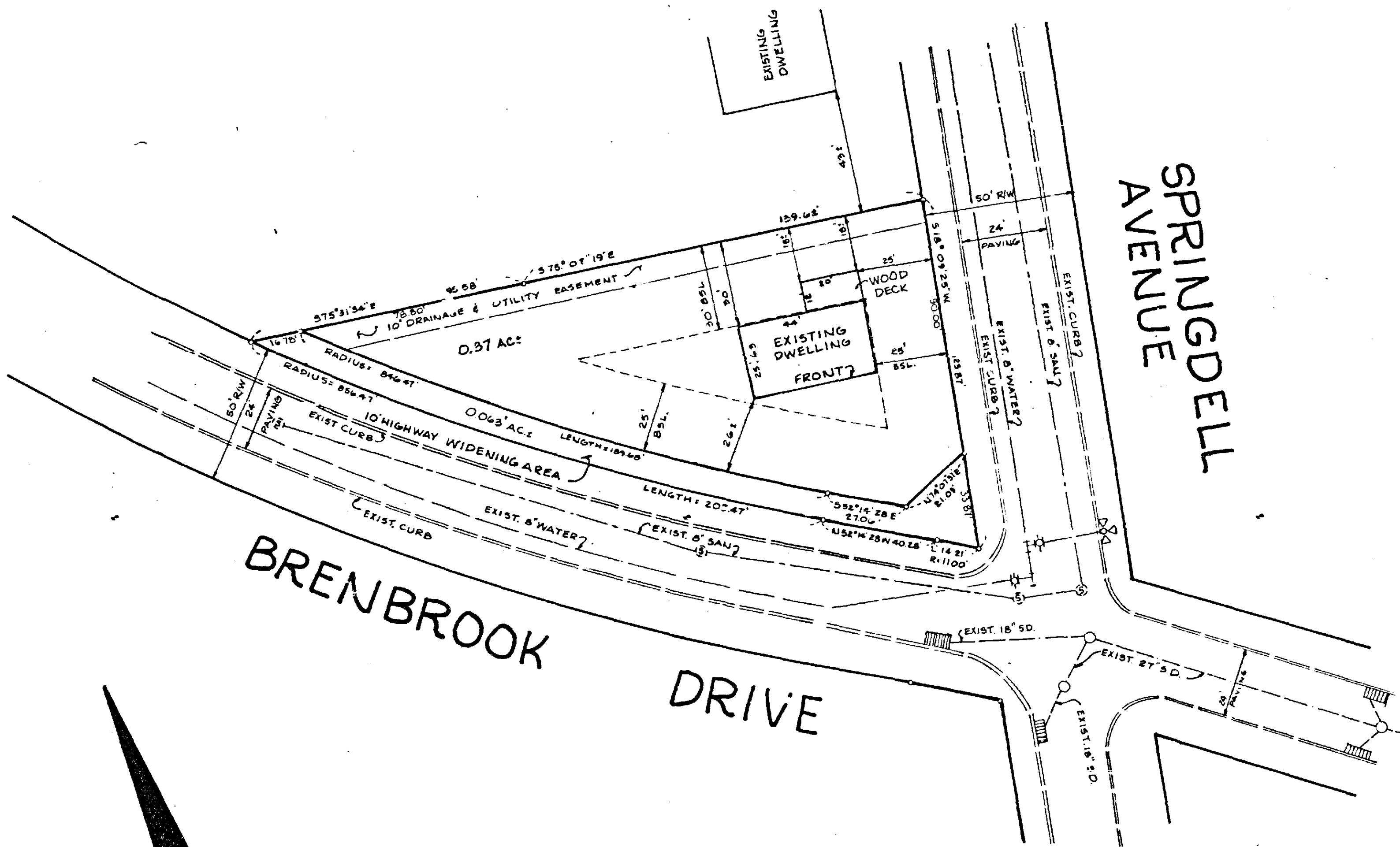
GENERAL NOTES

- AREA OF LOT: 0.37 AC. (16,117.2 SQ')
- EXISTING ZONE- DRB.5
- PROPOSED ZONE- DRB.5 WITH A VARIANCE TO ALLOW A SIDE YARD OF 17' INSTEAD OF REQUIRED 22.5'
- OWNER OF LOT JAMES L. McHANEY
- DEED REFERENCE: 7871/216
- LOT IS NOT IN A RECORDED SUBDIVISION



VICINITY MAP

SCALE: 1" = 500'



REVISIONS		
NO.	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
 CIVIL ENGINEERS AND LAND SURVEYORS
 SUITE 107, JEFFERSON BLDG, TOWSON, MD., 21204
 PHONE: 823-3535

PLAT FOR A VARIANCE TO ZONING
3654 BREN BROOK DRIVE
 #234

2ND ELECTION DISTRICT
 BALTIMORE CO MARYLAND

SCALE: 1" = 50'	DES. BY:	SHT. 1 OF 1
DATE: NOV 3 1988	DRN BY: JDW	

PETITIONER'S EXHIBIT

